

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARCOS TOPETE,

Plaintiff

v.

DIRECTOR OF NURSING HDSP, et al.,

Defendants

Case No. 3:24-cv-00419-MMD-CLB

ORDER

(ECF No. 5)

On January 30, 2025, the Court issued an order screening Plaintiff's complaint under 28 U.S.C. § 1915A. (ECF No. 7). The Court dismissed Plaintiff's claims without prejudice and gave Plaintiff leave to file an amended complaint by April 29, 2025. (*Id.*). The Court's order came back as undeliverable to Plaintiff. (ECF No. 9). The Court then directed Plaintiff to file his updated address with the Court, which Plaintiff has done. (ECF Nos. 13, 15). Plaintiff's new address shows that he is no longer incarcerated. (ECF No. 15). In light of Plaintiff updating his address, the Court will direct the Clerk of the Court to resend the screening order to Plaintiff's new address.

Because Plaintiff is no longer incarcerated, the Court denies his application to proceed *in forma pauperis* for inmates (ECF No. 5) as moot. The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner or pay the \$405 filing fee in full, by April 29, 2025.

Accordingly, **IT IS HEREBY ORDERED** that the Clerk of the Court **WILL SEND** Plaintiff a courtesy copy of the Court's screening order (ECF No. 7).

IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis* for prisoners (ECF No. 1) is **DENIED** as moot.

IT IS FURTHER ORDERED that the Clerk of the Court **WILL SEND** Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

1 **IT IS FURTHER ORDERED** that on or before April 29, 2025, Plaintiff will either:
2 (1) file a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2)
3 pay the full filing fee of \$405.

4 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
5 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
6 to refile the case with the Court, under a new case number.

7
8 **DATED:** March 18, 2025.



10 **UNITED STATES MAGISTRATE JUDGE**